	Application No.	Applicant(s)
Notice of Allowability	09/897,871	BOWEN-LEAVER ET AL.
	Examiner	Art Unit
	Gina C. Yu	1617
The MAILING DATE of this communication appeal. All claims being allowable, PROSECUTION ON THE MERITS IS (Concrewith (or previously mailed), a Notice of Allowance (PTOL-85) of NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHT of the Office or upon petition by the applicant. See 37 CFR 1.313 and the office of the concrewing the second control of the Office of the control of the office of the control of the office of the control of	OR REMAINS) CLOSED in r other appropriate commu HTS. This application is s	this application. If not included unication will be mailed in due course. THIS
. This communication is responsive to amendment filed on 12	<u>/1/2005</u> .	
2. ☑ The allowed claim(s) is/are <u>claims 1-3, 5-11, 13, 15, and 16,</u>	which are renumbered to o	claims 1-13 _.
B. ☐ Acknowledgment is made of a claim for foreign priority und a) ☐ All b) ☐ Some* c) ☐ None of the:	er 35 U.S.C. § 119(a)-(d) c	or (f).
 Certified copies of the priority documents have be 	een received.	
Certified copies of the priority documents have b	peen received in Application	n No
Copies of the certified copies of the priority docu	ıments have been received	I in this national stage application from the
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of noted below. Failure to timely comply will result in ABANDONME THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		a reply complying with the requirements
. A SUBSTITUTE OATH OR DECLARATION must be submitted in FORMAL PATENT APPLICATION (PTO-152) which gives	ed. Note the attached EXA reason(s) why the oath or	MINER'S AMENDMENT or NOTICE OF declaration is deficient.
. CORRECTED DRAWINGS (as "replacement sheets") must	be submitted.	
(a) ☐ including changes required by the Notice of Draftspersor	n's Patent Drawing Review	(PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's A Paper No./Mail Date	Amendment / Comment or	in the Office action of
Identifying indicia such as the application number (see 37 CFR 1.84 each sheet. Replacement sheet(s) should be labeled as such in the		
DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT FOR A STATE OF THE PROPERTY OF THE PROPER	t of BIOLOGICAL MATE OR THE DEPOSIT OF BIO	RIAL must be submitted. Note the DLOGICAL MATERIAL.
Attachment(s) . ☐ Notice of References Cited (PTO-892)	5 Notice of Inf	ormal Patent Application (PTO-152)
□ Notice of Draftperson's Patent Drawing Review (PTO-948)		Immary (PTO-413),
☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08)	Paper No./N	Mail Date Amendment/Comment
Paper No./Mail Date	, 7. La Laminer 57	Amendment/Comment
. Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. 🛛 Examiner's	Statement of Reasons for Allowance
	9.	e.
•		

Art Unit: 1617

Allowable Subject Matter

Claims 1-3, 5-11, 13, 15, and 16 are allowed and renumbered to claims 1-13.

The following is an examiner's statement of reasons for allowance:

The claimed invention is directed to a ringing gel comprising an emulsifier, a water phase, and a silicone oil comprising at least one volatile silicone oil different from the oil phase, and said oil phase and said silicone component form gel by a high shear/pressure treatment in the absence of a thickening agent, wherein the oil phase mean droplet size is less than about 100 nm. Diec (US 6468551 B1) teaches an O/W gel with oil droplet size of less than about 100 nm, comprising an emulsifier, a water and oil phase, and cyclomethicone, a volatile silicone oil. Also present in the prior art gel is thickening agent. In view of the claim limitation which positively excludes thickening agents from the present composition, the instant invention is viewed nonobvious over the prior art..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gina C. Yu whose telephone number is 571-272-8605. The examiner can normally be reached on Monday through Friday, from 9:00AM until 5:30 PM..

Application/Control Number: 09/897,871

Art Unit: 1617

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan can be reached on 571-272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gina Yu Patent Examiner

CHEENI FA

Page 3